

SHERIFF QUALIFICATIONS

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kerry W. Gibson

Senate Sponsor: Gregory S. Bell

LONG TITLE

General Description:

This bill modifies a provision relating to the qualifications of a sheriff.

Highlighted Provisions:

This bill:

▶ requires a person filing a declaration of candidacy for sheriff to submit a certificate that the candidate has met applicable standards or qualifications;

▶ requires sheriffs ~~H→ [and candidates for sheriff] ←H~~ to be certified as a correctional officer;

and

▶ modifies the standards and training requirements applicable to sheriffs and candidates for sheriff from those of a law enforcement officer to those of a peace officer.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17-22-1.5, as last amended by Chapter 140, Laws of Utah 2003

Be it enacted by the Legislature of the state of Utah:



28 Section 1. Section 17-22-1.5 is amended to read:

29 **17-22-1.5. County sheriff qualifications.**

30 (1) Each person filing a declaration of candidacy for the office of county sheriff shall
31 submit to the county clerk, at the time of filing a declaration of candidacy, a certificate issued
32 by the Peace Officer Standards and Training Division created under Section 53-6-103 that the
33 candidate has:

34 (a) (i) [have] successfully met the standards and training requirements established for
35 [law enforcement] peace officers under Title 53, Chapter 6, Part 2, Peace Officer Training and
36 Certification Act; or

37 (ii) [have] passed a certification examination as provided in Section 53-6-206; and

38 (b) [be] qualified to be certified as ~~H→~~ [;

39 ~~(i) ←H~~ a law enforcement officer, as defined in Section 53-13-103 ~~H→~~ [; and

40 ~~(ii) a correctional officer, as defined in Section 53-13-104 H→, or as a correctional~~
40a ~~manager as established by the Peace Officer Standards and Training Division created under~~
40b ~~Section 53-6-103 ←H] ←H .~~

41 (2) In addition to the general qualifications required of county officers by Title 17,
42 Chapter 16, County Officers, each county sheriff shall:

43 (a) at the time of taking office:

44 (i) (A) have successfully met the standards and training requirements established for
45 [law enforcement] peace officers under Title 53, Chapter 6, Part 2, Peace Officer Training and
46 Certification Act; or

47 (B) have passed a certification examination as provided in Section 53-6-206; and

48 (ii) be qualified to be certified as:

49 (A) a law enforcement officer, as defined in Section 53-13-103; and

50 (B) a correctional officer, as defined in Section 53-13-104 H→, or as a correctional
50a manager as established by the Peace Officer Standards and Training Division created under
50b Section 53-6-103 ←H ; and

51 (b) satisfactorily complete annual certified training as required in Section 53-13-103;
52 and

53 (c) after certification as provided in Subsection (2)(a), remain certified as a law
54 enforcement officer and correctional officer H→ or manager ←H during the sheriff's term
54a of office.

55 (3) The county legislative body shall declare the office of sheriff to be vacant if at any
56 time the incumbent sheriff fails to meet the legal qualifications for office under Subsection (2)

Legislative Review Note

as of 12-6-06 7:31 AM

Office of Legislative Research and General Counsel

H.B. 232 - Sheriff Qualifications

Fiscal Note

2007 General Session
State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

1/15/2007, 11:02:48 AM, Lead Analyst: Ricks, G.

Office of the Legislative Fiscal Analyst